

EXHIBIT 1

DEPOSITION OF SHANNON BAUM

In The Matter Of:

*Shannon Baum v.
Officer Michelle Ortega, et al.*

*Shannon Baum
September 25, 2014*

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1 it's usually been fights about financial issues.
2 **Q. Okay. On the bottom of that first page, I**
3 **have highlighted, "I'm not driving and she forcefully**
4 **grabbed my arm and put a handcuff on my right wrist, I**
5 **jumped to my car's front seat and said 'Fuck this.'**
6 **She jumped on top of me and we fell to the ground."**
7 A. Uh-huh.
8 **Q. So you admit that happened?**
9 A. What?
10 **Q. You admit that happened?**
11 A. I admit that happened.
12 **Q. So you essentially disobeyed an officer?**
13 A. Essentially, she was harassing me. That's
14 why I just wanted to leave and did not want to -- I
15 wanted to avoid the confrontation, because, first of
16 all, she coerced me into driving by asking me to move
17 my car when she knew that she had gotten a call that I
18 was drinking there.
19 And she asked me to get in my car and move
20 it. As soon as I did that, then she proceeded to give
21 me a DWI test, after she had me drive the car, and
22 after that, then she proceeded -- and she didn't give
23 it to me once, she gave it to me three, you know, four
24 times, and wouldn't stop, and then told me I was under
25 arrest. And, you know, of course, my eyes were red, I

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1 had been crying. I wasn't drunk. I had been crying.
2 I was upset. She then told me I was under arrest; for
3 what, I didn't even know. I had not even been driving.
4 **Q. Okay. So you said that she got a call that**
5 **you had been drinking and driving?**
6 A. (Witness nods head.)
7 **Q. Tell me about that.**
8 A. What I know is she showed up there. I didn't
9 know that she had been called. I am in a stall, I am
10 washing my car, she comes in and she says, "Excuse me.
11 Can you please move your car? I need you to come pull
12 your car over."
13 I said, "All right." I got in my car and I
14 moved it. Did I disobey an order, no, I did what she
15 told me. Then she proceeded to ask me to get out of
16 the car, which I did. Then she asked if I had been
17 drinking because my eyes were red. I said, "No."
18 **Q. But you had been drinking, correct?**
19 A. I did, I did, I said, "No." She asked me why
20 my eyes were red. I told her I was fighting. Then she
21 asked me to give -- she proceeded to give me the pen
22 test with my eyes. She did it about three times. And
23 then she told me she was going to place me under
24 arrest. When I said, "For what," she told me it was
25 for DWI. I said, "Well, I am not driving."

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1 **Q. Okay.**
2 A. "You had me drive." You know, I didn't see
3 that as fair. How could a cop stop you when you're not
4 even driving? So that's when the whole incident
5 started.
6 **Q. Okay. Let's turn to the next page.**
7 A. Okay.
8 **Q. So there you say, "I ingested two drinks of**
9 **vodka at around 4:30 on June 7, 2011," correct?**
10 A. Uh-huh.
11 **Q. But, in fact, it was more than two drinks of**
12 **vodka, wasn't it?**
13 A. No. I ingested two drinks around 4:30, when
14 I got there. That was before. When I was there, yes,
15 I drank more, but when I was there -- before I got to
16 the car wash, I drank two drinks while I was driving.
17 **Q. Okay. And how much more did you drink when**
18 **you got to the car wash?**
19 A. I finished off the half pint.
20 **Q. Okay. And then let's go to the next page.**
21 **Here you said, "I could feel the liquid**
22 **dripping of my face and hair," and that was the Mace,**
23 **correct?**
24 A. Correct.
25 **Q. And how many times would you say you were**

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1 **Maced?**
2 A. Consistently, probably when they first threw
3 me on the floor, they just kept the nozzle going. It
4 was just one consistent flow. And it wouldn't stop.
5 So that was the first time, when they just wouldn't
6 stop, and there was about --
7 **Q. Okay. I'm sorry for cutting her off. I'm**
8 **sorry for cutting you off.**
9 A. Uh-huh.
10 **Q. You said it was "continuous."**
11 A. Yes.
12 **Q. How long would you say it was?**
13 A. I'd say about a minute. They just sprayed me
14 down and I could feel not just one spray, but it was
15 coming from all directions in my face. It was just
16 coming from all directions.
17 **Q. Okay. Be a little bit more specific for me,**
18 **please.**
19 A. Sure. As I had my hands up and I was
20 surrendering, they -- I could hear officers coming in
21 and I immediately felt a discharge of liquid coming
22 from all angles into my face, on my arms, on my back,
23 everywhere, and they continued to do this for
24 approximately 45 seconds to 60 seconds. It just
25 wouldn't stop. And that was that. I was yelling to

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1 "Stop" while it was happening and I was with my hands
2 up surrendering.
3 **Q. Were you on the ground or standing?**
4 A. I was on my knees with my arms in the air.
5 **Q. Okay. Where was Officer Michelle Ortega?**
6 A. She was -- they had already -- she had
7 already been picked up and she was being taken to the
8 ambulance --
9 **Q. Okay.**
10 A. -- is what I recall.
11 **Q. Okay. Let me step back here a little bit.**
12 A. Sure.
13 **Q. Had you taken any prescription drugs that**
14 **day?**
15 A. I did not, no.
16 **Q. They found an empty bottle of oxycodone in**
17 **your purse.**
18 A. Uh-huh. That was prescribed to me, but it
19 wasn't -- if you read the date, it wouldn't have been
20 in there. It was an old bottle that was empty.
21 **Q. So why do you keep empty bottles in your**
22 **purse?**
23 A. I guess I shouldn't keep it. It wasn't in my
24 purse, it was in the glove box of my car.
25 **Q. And I know you testified earlier you don't do**

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1 illegal drugs.
2 **Did you take any illegal drugs that day?**
3 A. I did not.
4 **Q. Now, the police report states that you had**
5 **done cocaine that day.**
6 A. And I did not. I don't do -- I didn't do any
7 illegal drugs.
8 **Q. So it's your testimony you didn't tell them**
9 **that you took cocaine that day?**
10 A. No.
11 **Q. Let me ask you this -- well, let me hold**
12 **off. Strike that.**
13 A. Sure.
14 **Q. Let's go to the next page. You say at this**
15 **point in time, that officer told you to "Shut up. You**
16 **are going down. You'll never work at the Lab again."**
17 **And that's in quotations, correct?**
18 A. Uh-huh.
19 **Q. So do you know what officer told you that?**
20 A. I do not. By that time, I was already
21 sitting in the car, the gag bag was over my face, I was
22 in hysterics, I couldn't breathe, and I could just hear
23 him yelling at me to shut up because I was crying.
24 **Q. How would the officer know that you worked at**
25 **the Lab?**

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1 A. My badge. I had my badge in there that says
2 "Los Alamos National Laboratory."
3 **Q. In where?**
4 A. In my car. I was coming down from work that
5 day and I had my badge in my car.
6 **Q. So the officer, while he was Macing you, is**
7 **looking in your car?**
8 A. This was after he had Maced me and this was
9 prior -- after he had Maced me, and I don't know if it
10 was this officer. There were three or four officers
11 there. I don't know which one it was. All I know is
12 the one that was sitting inside the car with me told me
13 that I would never work at the Lab again.
14 Whether it was the one that Maced me or if he
15 was with the ones that Maced me, because it was not
16 just one that Maced me, it was all of them. I mean,
17 they all emptied their cans of Mace on me, but, you
18 know, it was -- he told me that, specifically, because
19 I remember hearing that as I had the bag over my head
20 and I was being transported.
21 **Q. Would you admit that mixing cocaine,**
22 **oxycodone, and alcohol is dangerous?**
23 A. Oh, yes.
24 **Q. Do you believe a person could get wasted by**
25 **mixing those three?**

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1 A. Yes, I do.
2 **Q. Okay. Do you agree, by mixing those three,**
3 **that someone might not be in either her or his right**
4 **mind?**
5 A. Correct. And I would never mix them because
6 I have had people close to me that have died from
7 overdoses and stuff like that. And the bottle that I
8 had was for a prescription for myself from a dental
9 procedure that I had.
10 That's why I had the bottle. Whether I had
11 it there, there was none in there. It was an empty
12 bottle. And it was -- if you look at the date, it was
13 back in March, is when the date was on that bottle. It
14 was just that I left it in there.
15 **Q. Now, if someone mixed those three, would you**
16 **agree that they might black out?**
17 A. Yes.
18 **Q. Have you ever blacked out?**
19 A. I have, but not from those three. I have
20 blacked out from drinking alcohol.
21 **Q. Okay. Now, in here, going back to page three**
22 **or four of Exhibit Number 3, you claim that you -- that**
23 **they made you get naked?**
24 A. Yes.
25 **Q. Tell us about that.**

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1 A. Okay. So after they put the bag on my head
2 and we got to the police station, they took me in, they
3 immediately took me into the doors where it was -- kind
4 of like my vision was blurry at the time. They took
5 the gag bag off when I got into, like, a garage area,
6 it looked like, okay, it was kind of a big garage
7 place.
8 They took the bag off my head. I knew it was
9 big because it echoed. When they took off the gag bag,
10 then I asked them if I could please rinse my face
11 because I was in pain, I was burning, I couldn't
12 breathe, I was choking and coughing, and I kept asking
13 them over and over, "Can I rinse my face, put water on
14 my face?"
15 And the officer told me to take off my
16 clothes. He said, "You need to take off your
17 clothes." And he ordered me to. So I did. I was
18 taking them off slowly, you know, I wasn't -- I was
19 kind of hesitant to do this.
20 So I am taking them off. There were a couple
21 of them that started -- I felt one start pulling my
22 shirt and hurrying me up, the other was pulling my
23 legs. They hurried me up to take my clothes off,
24 stripped me down, completely down, and pushed me inside
25 a shower, a warm shower, where as soon as I hit the

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1 shower, I started screaming because it felt like
2 someone threw me in a fire, like they lit my skin on
3 fire. It was just an immediate reaction.
4 And I just started screaming to no end and I
5 could hear them laughing and poking fun and just being
6 -- just being mean. And Mr. Avado, David Avado, which
7 I didn't know his name at the time, he was a security
8 guard there, came in and he held up a towel and he told
9 them to stop and to leave me alone.
10 And he looked at me and he said, "I'm
11 sorry." He said, "They shouldn't be doing this. I
12 don't know why they are doing this to you." And he put
13 a towel up on the shower so that they wouldn't be
14 laughing and joking. And I asked them to stop again.
15 And then from there, he took me -- he wrapped me in the
16 towel and he handed me a jumpsuit and he told me to put
17 it on.
18 Q. Okay. Now, turn to the next page.
19 And we are still on your statement, correct?
20 A. Uh-huh.
21 Q. And you say, "The next day, I was transported
22 to Santa Fe Jail."
23 A. Correct.
24 Q. Okay. And at the bottom, it says, "After the
25 initial two day, I tried to rinse myself off and right

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1 away started to burn. It wasn't until four days that I
2 could stand for a few seconds in the shower," correct?
3 A. Correct.
4 Q. And down towards the bottom, you say, "It has
5 been almost three years, and to this day, if I see an
6 officer of the law, or, for that matter, even a
7 security guard, I have severe anxiety, I start to get
8 sick, I can't stop my body from feeling like I'm
9 jumping out of my skin because I feel so angry and
10 scared inside."
11 A. Correct.
12 Q. Okay. And then the next page, it says, "Upon
13 transportation to Espanola Jail, I was denied medical
14 attention when, in fact, I was in severe need."
15 A. Correct.
16 Q. Okay. Let's go to the next page.
17 And this is the statement that you provided
18 to your attorney, correct?
19 A. Correct.
20 Q. And it says, "I tried to get into my car and
21 by this time, she was on top of me in the driver seat
22 of my car."
23 Do you agree with that statement?
24 A. I'm sorry, where are we?
25 Q. Where I highlighted.

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1 A. Okay. Yes. So I didn't try, which is my
2 mistake. I got into my car. I actually sat in my car
3 when she actually jumped on top of me.
4 Q. Okay. But you said "Fuck this" and jumped
5 into your car and tried to turn on the ignition,
6 correct?
7 A. I did, yes.
8 Q. Okay. So that's resisting an officer,
9 correct?
10 A. Correct.
11 Q. And then the next highlight is going back to
12 the Mace.
13 A. Uh-huh.
14 Q. You say, "I could feel the liquid dripping
15 from my hair and face," correct?
16 A. Yes.
17 Q. So you testified earlier it was coming from
18 all angles from a variety of different officers,
19 correct?
20 A. Uh-huh.
21 Q. And so it was just dripping off you?
22 A. Yes.
23 Q. Okay. That's your testimony?
24 A. It was dripping, yes. It was -- when I was
25 standing up against the cop car after they had drug and

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1 picked me up, because they had handcuffed me, drug me
2 across the parking lot, picked me up, pushed me up
3 against the thing, I could feel my -- I could just feel
4 it dripping down my face and onto -- you know, just
5 dripping everywhere. I couldn't move. I just felt it
6 dripping everywhere, the Mace.
7 **Q. So after the officer grabbed you, after you**
8 **jumped into your car and tried to start the ignition,**
9 **what happened next?**
10 A. She proceeded to put her arms around me. She
11 got her arms around me kind of like in a bear hug and
12 she was pulling me out of the car. I was pushing her
13 off of me. We fell out of the car, out of the seat,
14 onto the ground.
15 That's where we were holding on to each
16 other. We rolled around. There was never once that I
17 hit her ever, you know, I never hit her. The only
18 thing I did do was hold onto her. So we rolled
19 around.
20 I ended up on my knees, her sitting down, and
21 with me -- and me with my arms around her in a bear
22 hug. We were facing east and I was just kind of like
23 this. And I was holding her so she couldn't arrest me,
24 or so she couldn't hit me, basically.
25 **Q. So let me ask you this, do you remember being**

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1 **behind her like you just testified?**
2 A. Yes.
3 **Q. Grabbing her hair and reaching for her**
4 **sidearm telling her that "I am going to kill you with**
5 **your own gun, bitch"?**
6 A. No, no. I remember sitting there and holding
7 her arms so that she couldn't hit me. I was holding
8 her. I couldn't have had her hair and her gun and been
9 able to -- and hold her there, too. That would be
10 impossible, physically impossible. I was just wrapped
11 around in a bear hug.
12 **Q. My question is, so you don't remember -- you**
13 **do remember being behind her?**
14 A. Yes.
15 **Q. But you don't remember grabbing her hair and**
16 **reaching for her sidearm telling her, "I'm going to**
17 **kill you with your own gun, bitch"?**
18 A. No.
19 **Q. Telling her more than that once?**
20 A. No, no.
21 **Q. Okay. We are on the last page of your**
22 **statement that you gave to your attorney.**
23 A. Uh-huh.
24 **Q. And you are talking about someone in the**
25 **Santa Fe Jail and you say that "She stated for me not**

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1 **to wash or get into any water for the next 24 to 48**
2 **hours, only my eyes, because the water would make my**
3 **pores open and the Mace reactivated."**
4 A. Correct.
5 **Q. Do you recall who told you that, by chance?**
6 A. I do not. It was the nurse on duty. It was
7 the nurse on duty that day. So it was -- you know, if
8 it happened June 7th, then it's going to be June 8th.
9 She was on duty at the time that I went in. And she
10 not only told me that, she looked at my hands.
11 We had a conversation. She asked me what I
12 was in there for, I told her, you know, "For aggravated
13 battery on a police officer," and I told her what
14 happened. She asked me -- she checked me from head to
15 toe. She looked at my knuckles.
16 She said, "Well, I can tell you didn't hit
17 anybody," because I had no bruising, no lacerations,
18 nothing on my knuckles. The only thing she saw was
19 that I had been Mace severely. And she said, "Don't
20 get into water because the Mace" -- "when your pores
21 open, the Mace reactivates it."
22 And I told her, "Well, they put me in a
23 shower right when they brought me back." And she said,
24 "Who did that?" And I told her. And she said, "No."
25 She goes, "We all know that you're not supposed to put

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1 anybody in water after they have been Mace due to it
2 giving a reaction because your pores open up." And so
3 she told me, "Don't shower." She said, "At least give
4 it another 24 to 48 hours, and if you cannot do that,
5 then just do it little by little."
6 **Q. Okay. Now, you mentioned earlier that they**
7 **put a black bag over your head.**
8 A. Yes.
9 **Q. And you claim they tied it around your**
10 **throat?**
11 A. Yes.
12 **Q. Do you recall spitting everywhere when you**
13 **were put in the vehicle, and for that reason, they put**
14 **the bag over your head?**
15 A. I recall when I was in the vehicle, I was
16 screaming. I was screaming. I was yelling because I
17 was in pain. I was on fire. I had just been severely
18 Mace. I was rubbing my face up against the back of
19 the seat, yes, I was coughing continuously.
20 So yes, I was spitting. I had Mace coming
21 out from everywhere. I had it in my mouth, so much of
22 it, I couldn't breathe. I couldn't breathe. Was I
23 spitting, yes, I am trying to get this Mace out of my
24 mouth. I'm trying to take it off by any means. I am
25 rubbing my face against the back of these chairs, I am

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1 Q. Okay.
2 A. That would probably be on the low end.
3 Q. And under "Patient History," it says,
4 "Alcohol, infrequent, social use only."
5 A. Uh-huh.
6 Q. You stand by that statement?
7 A. Yes.
8 Q. That you infrequently use alcohol?
9 A. I am not an every day alcohol user. Do I do
10 it on weekends, sometimes, yes, but I don't use alcohol
11 every day.
12 Q. And how many DWI arrests have you had?
13 A. Three in the last -- in my 30s. I never,
14 ever before my 30s got arrested, but yes, in my 30s, I
15 was having some kind of a hardship, I was going through
16 some things, and if you look at my arrest records, it's
17 all in three years, and I never, ever got in trouble
18 before that.
19 Was I going through some kind of crisis, or,
20 you know, thing, yes, I was. I was having -- I was
21 having a life -- I don't know what you want to call it,
22 but during my 30s, from about 31 until about, you know,
23 36, yes, I went off the deep end. I don't know what
24 happened. I don't know why I did what I did.
25 All I know is that you know, I was drinking

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1 more, I was feeling that my life had been all about
2 raising kids, going to school, and I never got to do
3 anything I wanted to do, I never got to go out with my
4 friends. Yes, I went on kind of a binge, a crazy
5 thing, I did get a little crazy.
6 And I did -- I just felt that I had not
7 gotten to experience anything. I had been with my
8 boyfriend since I was 17. Did I do -- get a little
9 crazy, yes, I did. I don't know why or what I did and
10 what I was thinking, but, you know.
11 Q. So crazy?
12 A. Yes, I did. What I mean by "crazy" is being
13 arrested. I mean, that's not me. I never got arrested
14 until I was, what, 32, and I got arrested between --
15 like from age 32 to 36, all in those years. I just
16 kind of went, you know, in this weird spiral down, you
17 know.
18 I did my job, I raised -- I was raising my
19 children, I was going to school, I was working, and
20 yes, I felt that maybe I needed -- it was time for
21 myself. And I wanted to get out there and see and go
22 have fun with my friends, go do this and that, and it
23 was a bad decision that I made in my life. Have I done
24 that since that incident in 2011, no, I have not been
25 in trouble since. I have not gotten in trouble. I

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1 don't drive at all hardly, you know, I don't even
2 drink. I have not drank since then.
3 Q. So you were going through a rough patch?
4 A. Yes.
5 Q. You were being crazy?
6 A. I was.
7 Q. And crazy enough to try and kill a female
8 police officer with her own gun?
9 A. No, no, never would I do that. Never. Never
10 would I do that. I would never try to kill any human
11 being with their own gun, and especially a cop with
12 their own gun. Did we get into a scuffle and did she
13 -- was she harassing me, yes; did we fight, yes, but,
14 you know, I paid for that.
15 I went and I did my aggravated. I got in
16 trouble for DWI. You know, the point of the matter was
17 that I was handcuffed, I was subdued, they beat me, and
18 they put me in the showers. I mean, I did -- I got in
19 trouble, yes, and I did my thing. I still, you know,
20 to this day, have had to answer to what I did, but did
21 that give them the right to do what they did to me and
22 not have to answer for it?
23 Q. Okay. Now, you claim you were denied medical
24 attention at the Espanola Detention Center, correct?
25 A. Yes.

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1 Q. I want to turn you to Exhibit Number 6.
2 (Exhibit 6 marked.)
3 THE WITNESS: Exhibit Number 6?
4 Q. (By Mr. Basham) This one right here. This
5 is Exhibit 6.
6 A. Yes.
7 Q. Is that your signature? Simple question.
8 A. Yes, it does look like my signature, yes.
9 Q. Okay. And this is a Memorandum.
10 A. Uh-huh.
11 Q. It's from the Espanola Detention Center. And
12 the subject is "Refusal of Medical Attention." And it
13 says, "I, Shannon Baum, DOB, 11/22/76, am refusing
14 medical attention from the Espanola Police
15 Department."
16 So you claim that they were denying you
17 medical attention, correct?
18 A. I claim that I was asking to see -- I was. I
19 was asked -- I was telling them, "I am in pain. I am
20 hurting." Did I want the Espanola Police Department --
21 anything further from them, no. I was hurt.
22 Q. So you deny --
23 A. I just didn't want nothing from these
24 officers. I didn't want nothing from anybody at that
25 place, you know. I would have just been -- I'm sorry.

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1 see. Conditions of Release, yes.
2 **Q. And it's signed by George Anaya, Junior,**
3 **correct?**
4 A. Okay.
5 **Q. Let me ask you this, how long were you in**
6 **jail after your arrest for this incident?**
7 A. Twenty days. It was around 20 days, 19 days,
8 18 days, because I went in on, what, June 7th, and I
9 didn't get out until here, until this time, because it
10 was right before my son's birthday, I remember.
11 **Q. So why didn't you bond out earlier?**
12 A. Why didn't I bond out earlier?
13 **Q. Uh-huh.**
14 A. Because the Judge wouldn't let me. The Judge
15 said that I had beat Michelle Ortega up and put her in
16 the hospital. And I couldn't understand where they got
17 that information because I never even hit the girl. I
18 never even struck her.
19 And so I was in awe, thinking, "Why is she in
20 the hospital when all I did was bear hug the girl?"
21 That was my whole thing. I couldn't understand why she
22 was in the hospital for things when I was the one that
23 got my butt whipped. Sorry.
24 **Q. So, I mean, judges always set bonds.**
25 A. Right. And he put mine at 100,000, like if I

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1 murdered someone, you know, which I thought was insane,
2 because I didn't even much less punch the girl or hit
3 her. The only thing I was trying to do was keep her
4 from hitting me and holding her, you know.
5 And so I couldn't understand the gist of it
6 or what was going on. All I knew is that, you know, I
7 had not gotten to say my side to anybody and they just
8 basically said, "You are staying in there for this much
9 because she is in the hospital." For what, I don't
10 know.
11 **Q. Going back to the incident, did anyone pull**
12 **you off of Officer Ortega?**
13 A. No, nobody pulled me off of Officer Ortega.
14 Nobody did. I was behind her. I was holding her in a
15 bear hug the whole time. The reason that I let go was
16 because I heard sirens coming and I heard footsteps
17 running towards me and they were screaming at me to let
18 go.
19 That's when I lifted my arms and I said,
20 "Okay. Okay." That's when I started getting sprayed
21 continuously with Mace, and they wouldn't stop. But
22 did anybody try to pull me off or anything, no. There
23 was nobody -- nobody touched me, unless, like, I am
24 super strong and I didn't feel anything, because I was
25 in a bear hug, had her held until the other officers

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1 arrived, and I let go.
2 That's when I let go, was as soon as I heard
3 the cop cars drive up and all the -- and that's what I
4 heard, is I heard all the yelling and I heard shoes
5 running. I remember the noise of the shoes running
6 towards me.
7 **Q. And you weren't Mace'd at that point in time?**
8 A. I had not been Mace'd at that point in time
9 until I heard them and I lifted my arms and I said,
10 "Okay. Okay." And that's when I got Mace'd. That's
11 when I started getting Mace'd.
12 **Q. And on this document, Order Setting**
13 **Conditions of Release, I have something highlighted**
14 **there.**
15 A. Uh-huh.
16 **Q. It says "Finding."**
17 A. Uh-huh.
18 **Q. "Second violent offense against law**
19 **enforcement in four weeks."**
20 A. Uh-huh.
21 **Q. Okay. So we know you had the issue with**
22 **Officer Ortega.**
23 A. Uh-huh.
24 **Q. What's the other?**
25 A. I have no idea. You tell me, because I have

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1 no idea who the other officer is that I supposedly was
2 violent with.
3 **Q. This was during your crazy period of time,**
4 **right?**
5 A. This was during the period of time that I was
6 kind of -- yes, that I was not -- that I wanted to be
7 out with friends and I was tired of being the Sally
8 homemaker.
9 **Q. Where you were not in your right mind,**
10 **correct?**
11 A. I was in my right mind. I wasn't out of my
12 mind every single day. Did I go and have a drink once
13 in awhile, yes. Does it impair your judgment, yes.
14 That's what I am conceding to, is my judgment was
15 impaired.
16 By being "crazy," I mean, my judgment was
17 impaired. It's not that I am looney or that I belong
18 inside a mental house. It's just that yes, my judgment
19 was impaired. Was I impaired every single day, no,
20 no. I worked. I have kids.
21 Did I fall off the wagon and go sometimes a
22 little bit off, yes, I did, but I didn't -- you know,
23 this one, for the violence on the officer, I couldn't
24 tell you who I was violent with four weeks before. I
25 mean, there is no arrest record of me being violent